



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE for Permit Application

Issue Date: August 9, 2004

Expiration Date: September 8, 2004

Corps of Engineers Action ID: 200400465

30-Day Notice

Oregon Department of State Lands Number: AP-32667

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
CENWP-OP-GE (Ms. Michele E. Hanson)
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401-2156

Applicant: Shelter Cove Homeowners Association

Location: Mile 1.34 along the east bank of the Siuslaw River, at Shelter Cove, near Florence, in Lane County, Oregon. The work would occur in the Northeast Southeast ¼ of Section 16, Township 18 South, Range 12 West.

Project Description: The Shelter Cove Homeowner's Association (SCHA) proposes to discharge 0.6 acre of fill material below the high high tide line of the Siuslaw River to stabilize approximately 660 linear feet of the east river bank.

A series of riprap revetments extending a minimum height of 12 feet above the mean high tide line elevation would be placed along 660 feet of the riverbank. To stabilize the rock placement the applicant has proposed excavating a 2-foot deep by 10 feet wide "keyway" at the toe of the slope to a stable foundation base consisting of compressed silt. As an alternative to the "keyway" excavation the applicant would perform nominal clearing excavation to remove loose material from the base of the riprap placement accompanied by limited slope flattening or back-sloping the foundation area. All rooted vegetation and other protruding materials would be removed from the revetment area. The upper portions of the slope would not be disturbed.

A filter fabric, such as non-woven Amoco 4553 geotextile, would be placed along the slope face where the rock fill would meet the sand to prevent dune migration through the revetment. Coarse granular base would be placed at the toe to provide a level foundation base. A three-foot thick layer of Class 700 riprap would be placed concurrently with an underlying three-foot thick layer of buttress fill

(graded rock ballast). Although the applicant states all work would be conducted from the top of the bank, the Corps recognizes that constraints denoted by the height of the bank, 70 to 110 feet, and the local geology may require some work to be performed from barges operating in the water.

Joint plantings consisting of live willow stakes would be placed in openings within the rock riprap. Upper portions of the exposed sand dune would be covered with an erosion control blanket, such as North American Green SC150, and seeded with plant species that tolerate and can thrive in the extreme coastal dune environment. The type of plant species selected would be based on recommendations by a landscaping specialist and/or other recognized experts.

Mitigation: The applicant has not provided a proposed compensatory wetland mitigation plan for unavoidable losses that would occur as a result of the project.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: To control erosion of a tidal sand dune into the river and protect five (5) undeveloped lots and one developed lot (Lots 36 through 41) in Shelter Cove subdivision.

Drawing(s): Nine (9) drawings.

Additional Information: Additional information may be obtained from Ms. Michele E. Hanson, Project Manager, U.S. Army Corps of Engineers at (541) 465-6878 or email michele.e.hanson@usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

Section 404, Clean Water Act (33 U.S.C. 1344), for the discharge of dredged or fill material into waters of the United States, including wetlands.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Coastal Zone Management Act Certification: A permit for the described work will not be issued until the state has concurred with the applicant's certification that the described activity affecting land or water uses in the Coastal Zone complies with the State Coastal Zone Management Program. Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3) requires the applicant to provide a Certification of Consistency statement. If the state fails to concur or object to the certification statement within six months, state concurrence shall be conclusively presumed. Attached to this Public Notice is a notice of application for Certification of Consistency with the State's Coastal Zone Management Program.

Public Hearing: Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Endangered Species: Siuslaw River supports runs of Oregon Coast coho salmon, a species proposed for listing under the Endangered Species Act (Act). The Corps has determined that the proposed action will not jeopardize the continued existence of this species. Formal consultation under Section 7 of the Act of 1973 (87 Stat. 844) is not required for the described activity.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. An initial evaluation of the proposed project area indicates there are no recorded historic properties within the permit area.

This notice has been provided to the State Historic Preservation Officer (SHPO), interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential effects.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

PUBLIC NOTICE

Oregon Department of Environmental Quality (DEQ)

Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400465

Notice Issued: August 9, 2004

Oregon Department of State Lands Number: AP-32667 **Written Comments Due:** September 8, 2004

WHO IS THE APPLICANT: Shelter Cove Homeowner's Association

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **September 8, 2004**. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-5408. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to 401publiccomments@deq.state.or.us. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at (800) 452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

PUBLIC NOTICE

OREGON COASTAL MANAGEMENT PROGRAM

CONSISTENCY CERTIFICATION

Date: August 9, 2004

Corps of Engineers Action ID Number: 200400465

Oregon Department of State Lands Number: AP-32667

NOTIFICATION

For projects subject to coastal zone review, notice is hereby given that the project is being reviewed by the Department of Land Conservation and Development (DLCD), as provided in Section 307(c) of the Coastal Zone Management Act. The applicant believes that the activities described in the attached materials would comply with and be conducted in a manner consistent with the Oregon Coastal Management Program. Project information can be made available for inspection at DLCD's Salem office.

DLCD is hereby soliciting public comments on the proposed project's consistency with the Oregon Coastal Management Program. Written comments may be submitted to DLCD, 635 Capital St. NE, Suite 150, Salem, OR 97301-2540, Attention: Consistency Review Specialist. Any comments must be received by DLCD on or before the comment deadline listed in the federal notice. For further information, you may call DLCD at (503) 373-0050, ext. 253.

REVIEW CRITERIA

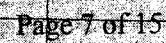
Comments should address consistency with the applicable elements of the Oregon Coastal Management Program. These elements include the following:

- Acknowledged Local Comprehensive Plans & Implementing Ordinances
- Statewide Planning Goals
- Applicable State Authorities (e.g. Removal-Fill Law and Oregon Water Quality Standards)

INCONSISTENT?

If you believe this project is inconsistent with the Oregon Coastal Management Program, your comments to DLCD should explain why you believe the project is inconsistent and should identify the Oregon Coastal Management Program element(s) in question. You should also describe how the project could be modified if possible to make it consistent with the Oregon Coastal Management Program.

COE #200400465



highways Lane
Limited Access Highways
Major Highway
Secondary Highways
streets Lane



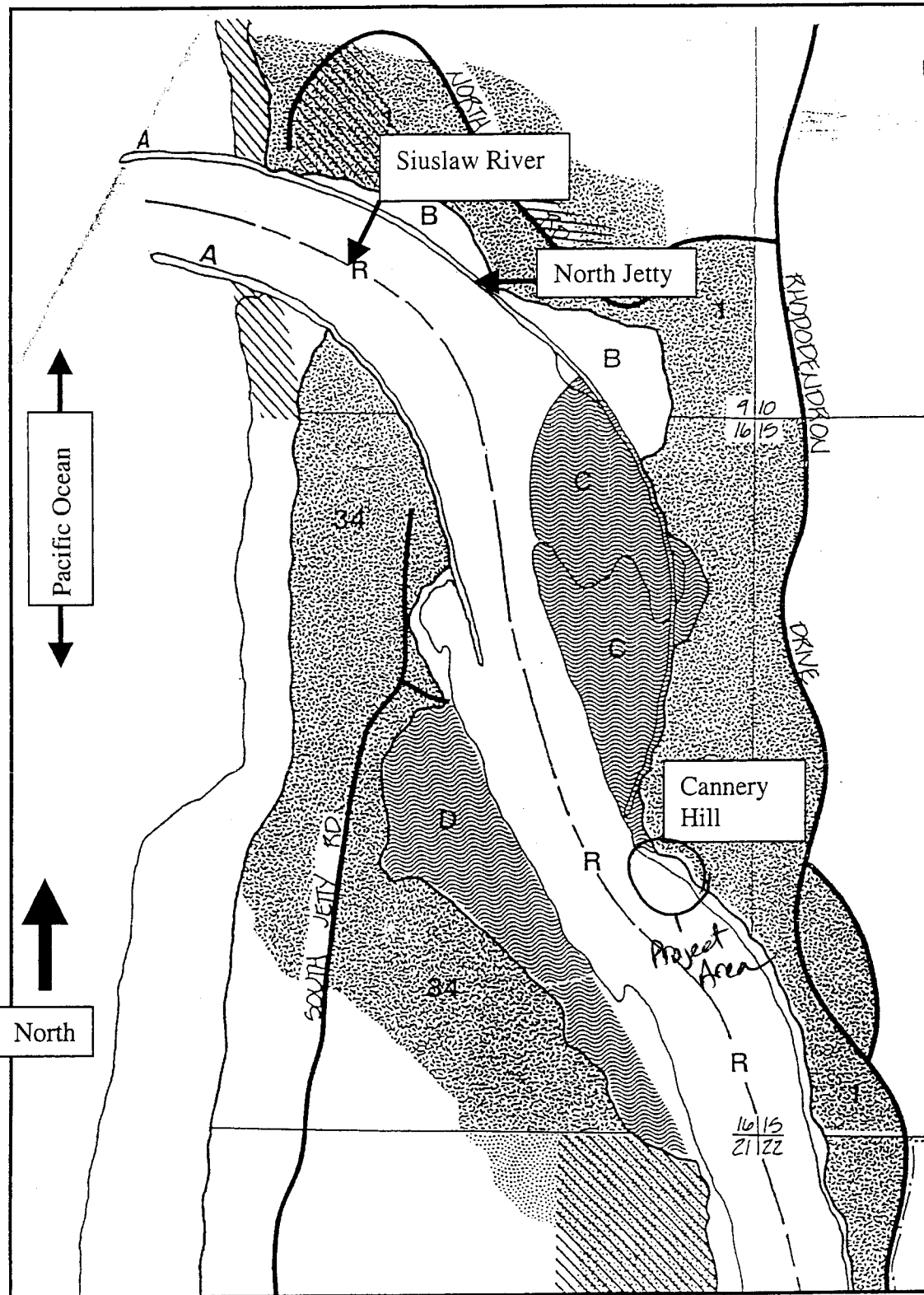


Figure 1. Study Area showing natural zones C and D and conservation zone B in the lower Siuslaw River Estuary near Florence, Oregon.

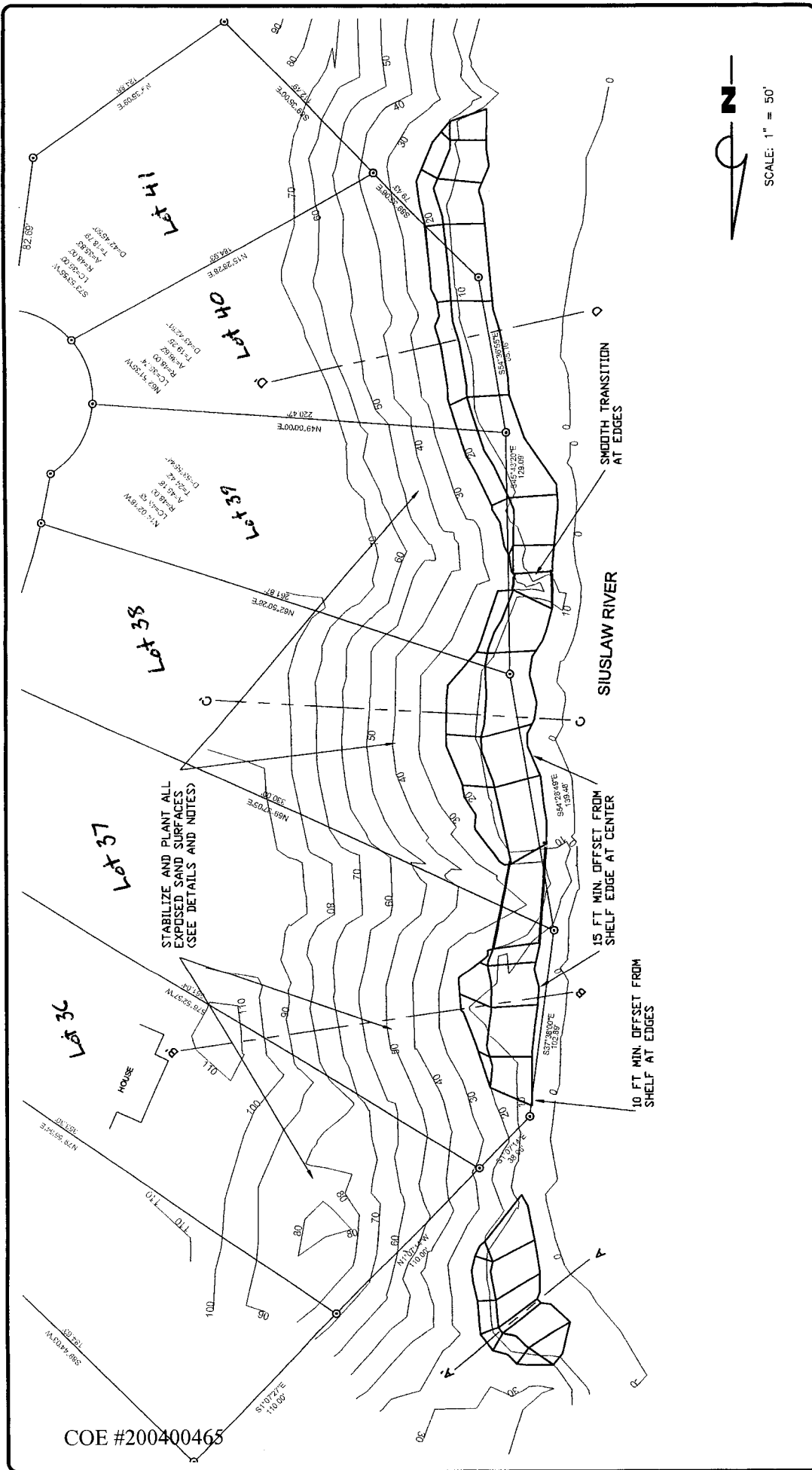


FIGURE NO.
1

SITE PLAN

SHELTER COVE DUNE STABILIZATION
FLORENCE, OREGON

BOIRE ASSOCIATES
Geotechnical Engineering Solutions

120
A
110
100
90
80
70
60
50
40
30
20
10
0
-10
-20

COE #200400465

NEW RIP-RAP PROTECTION
(SEE FIGURE 6)

10FT
TYP.

1.5
1

12FT
(MIN.)

APPROX. HIGH TIDE
+/- 8.0 FT

DUNE SAND

COMPRESSED SILT

SEEPS AT CONTACT

2+30
2+20
2+10
2+00
1+90
1+80
1+70
1+60
1+50
1+40
1+30
1+20
1+10
1+00
0+90
0+80
0+70
0+60
0+50
0+40
0+30
0+20
0+10
0+00

SECTION A-A'
SCALE: 1" = 20'

SHELTER COVE DUNE STABILIZATION
FLORENCE, OREGON

FIGURE NO.
2



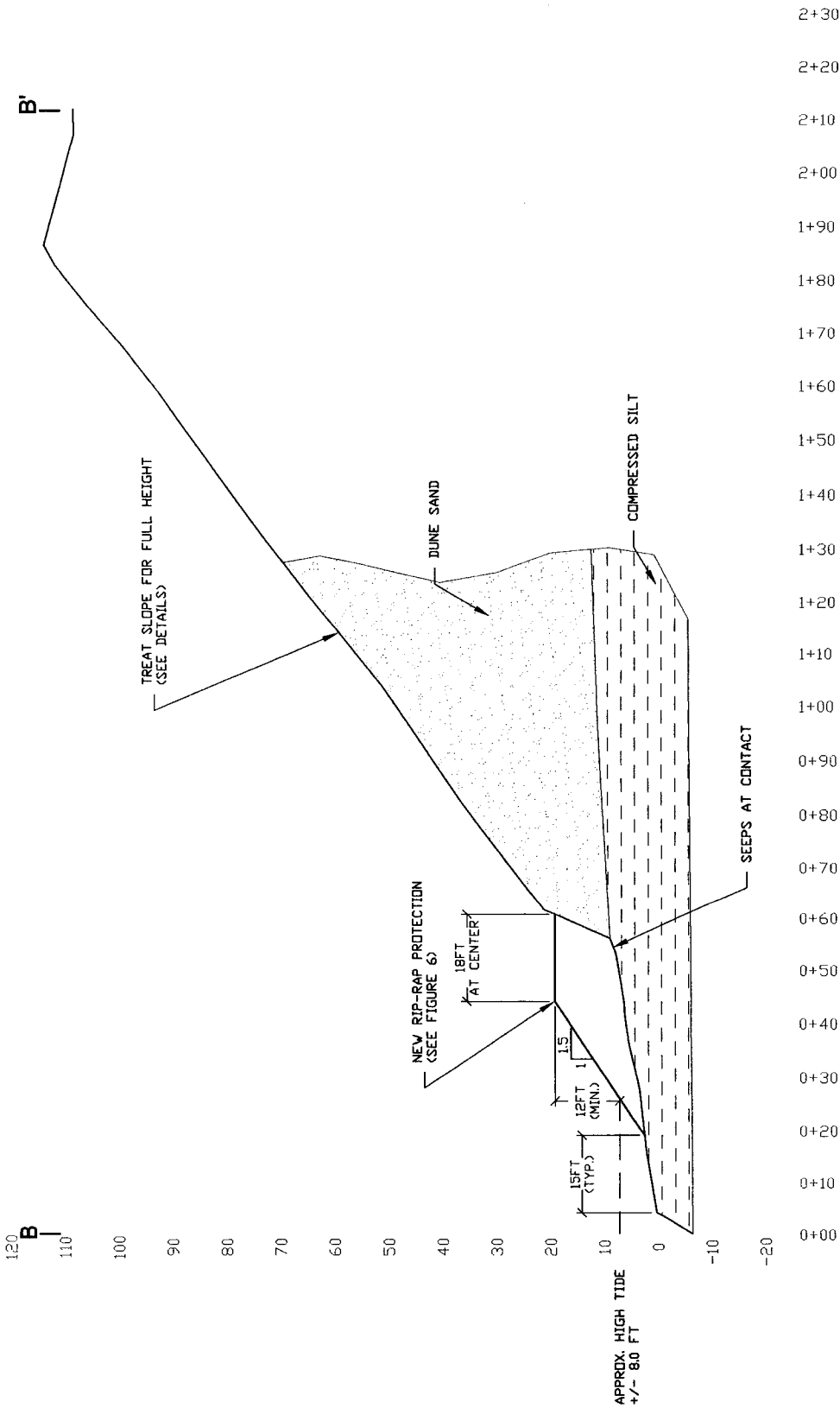
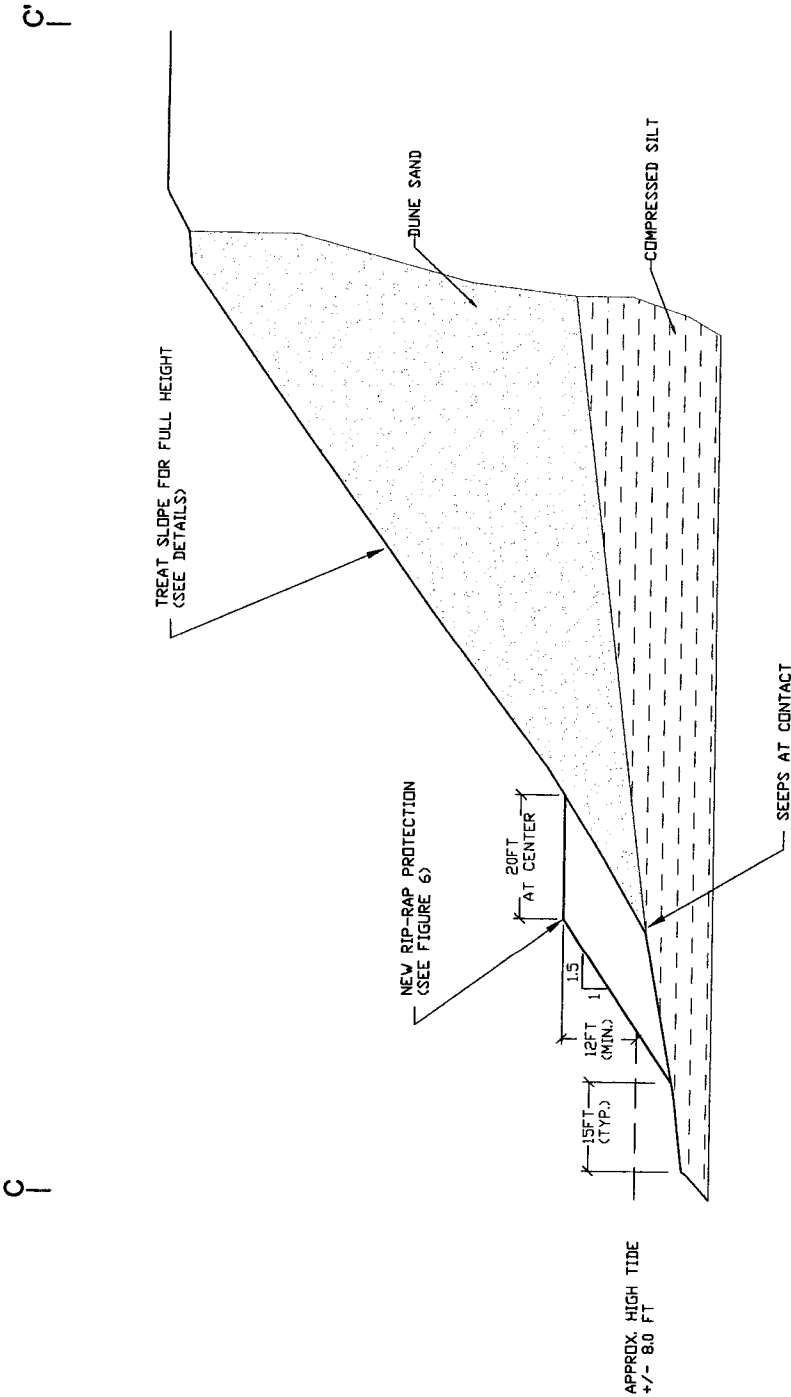


FIGURE NO.
3

SECTION B

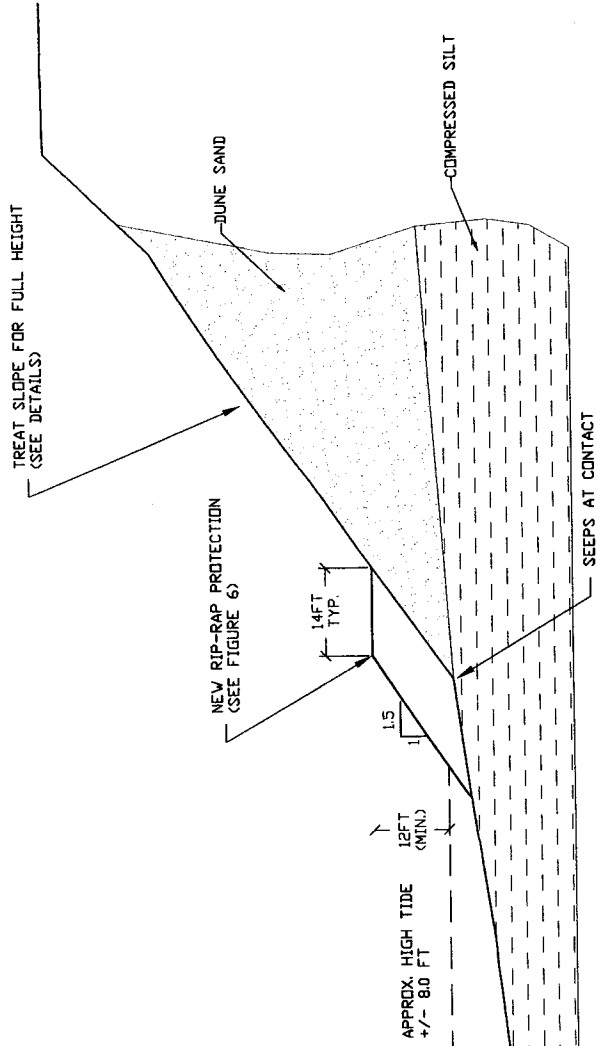
SHELTER COVE DUNE STABILIZATION
FLORENCE, OREGON



SECTION C-C'
SCALE: 1" = 20'

P

P




SECTION D - D'
SCALE: 1" = 20'

FIGURE NO.
5

SECTION D

SHELTER COVE DUNE STABILIZATION
FLORENCE, OREGON

**BOIRE ASSOCIATES**
Geotechnical Engineering Solutions

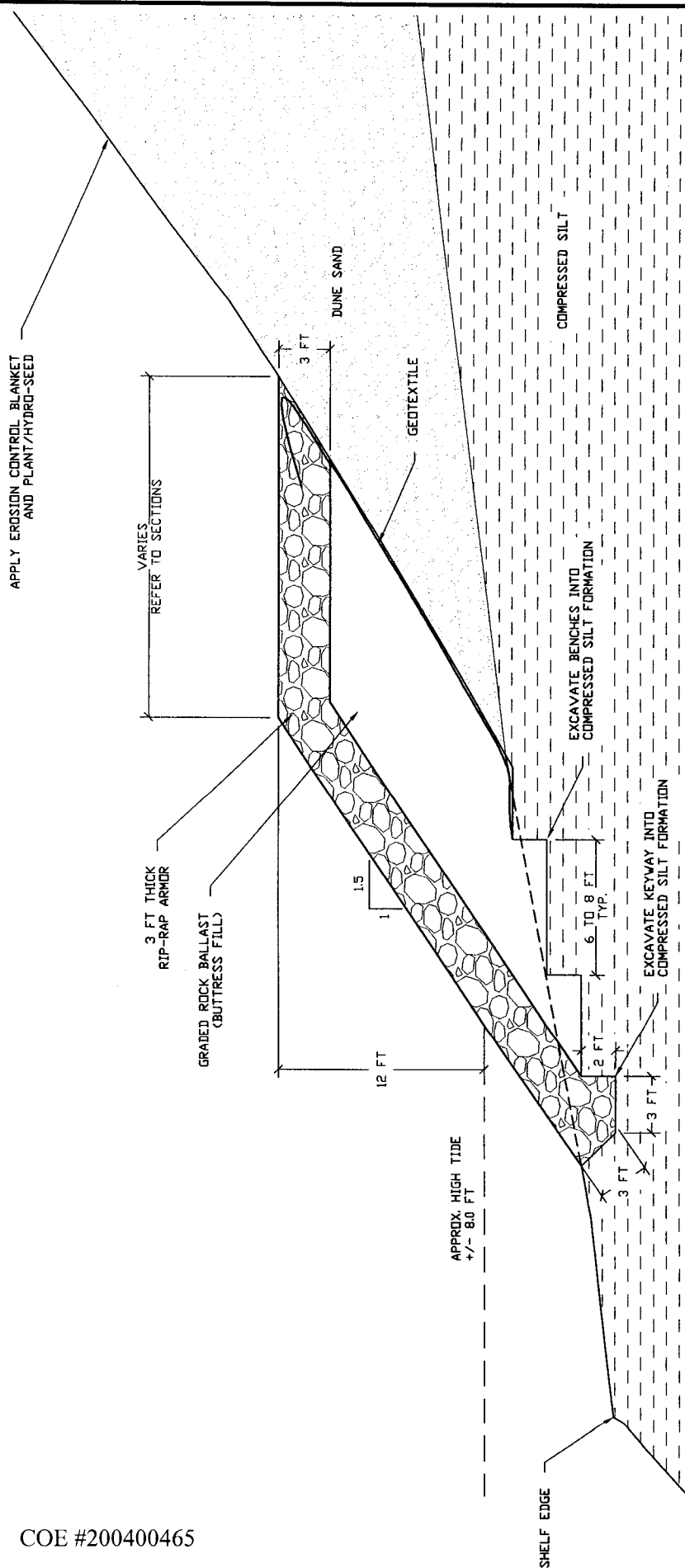
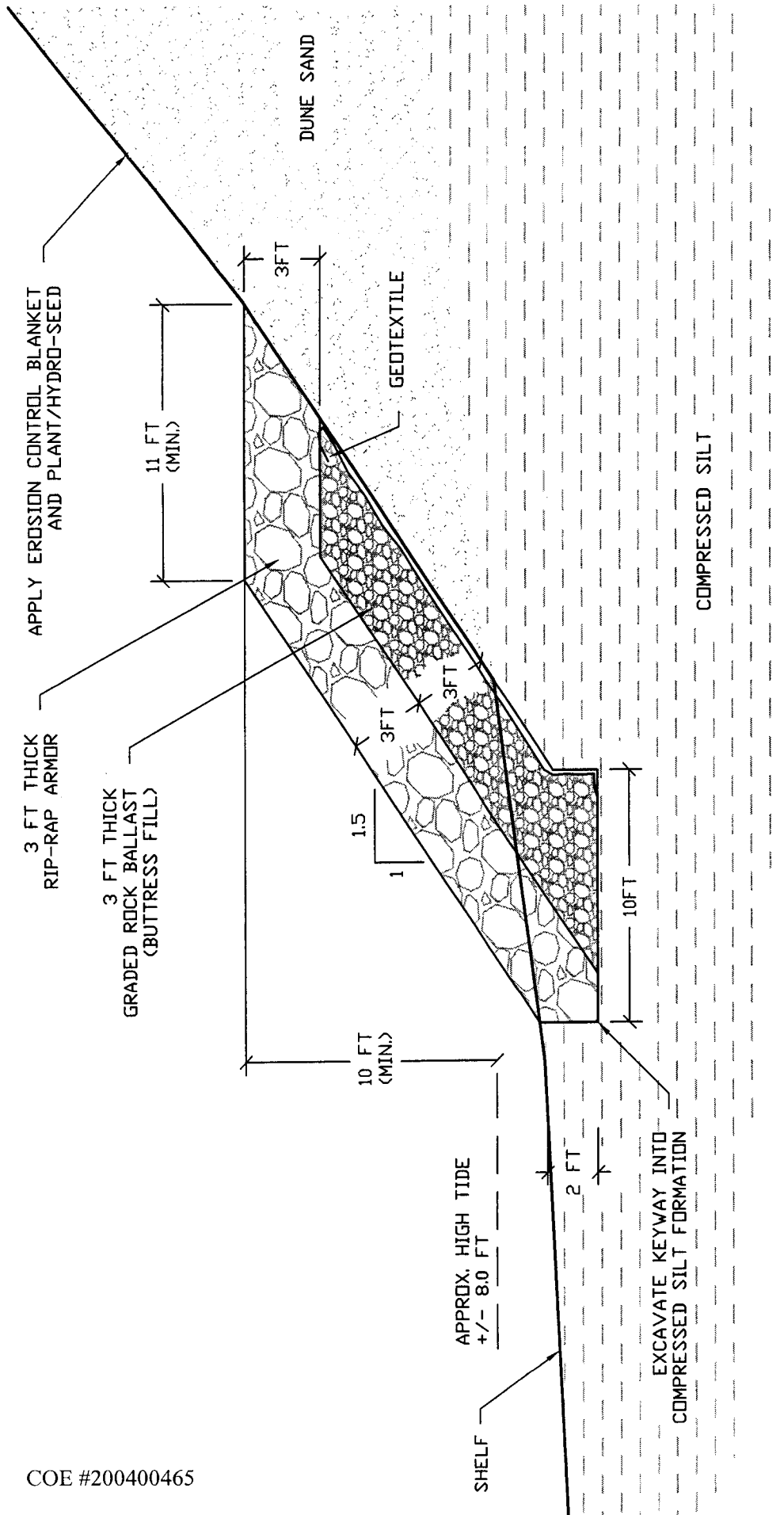


FIGURE NO.

REVETMENT DETAILS

SHELTER COVE DUNE STABILIZATION



SECTION DETAIL

SCALE: 1" = 6'